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Atty. Dkt. No. 061715-0381

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 8, 15, 25, 32, 39, 43, 49 and 50 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-51 remain pending in this application, and claims 2-7, 9-14, 16-24, 26-31, 33-38, 40-42 and 44-48 are withdrawn from consideration.

Claims 1, 8, 15, 49 and 51 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by WO 00/67514 to Honkala et al. (hereinafter "Honkala"). Applicant respectfully traverses this rejection for at least the following reasons.

Embodiments of the present invention relate to methods and systems for controlling handover between a first technology network and a second technology network. A mobile node detects information about regions of an area of a first technology network. Based on the detecting information, the mobile node decides on initiating a handover procedure between the first technology network and the second technology network. Thus, in embodiments of the present invention, the responsibility for the handover is entirely with the mobile node. Accordingly, amended claim 1 recites "deciding, by the mobile node, initiating a handover procedure ... based on the detected region information." Claims 8 and 15 each recite a similar feature.

Honkala fails to teach or suggest at least this feature of the present invention. To the contrary, Honkala discloses a method in which the entire handover process is controlled by a

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fixed network controller. For example, Honkala describes that "the GMS Radio Access Gateway 3 predicts that a handover to a cell of the external network is likely to be required" and "then sends a hand-off advance request, in packet-based format, to its gatekeeper...." See Honkala, page 17, lines 20-25. Honkala fails to teach or suggest "deciding, by the mobile node, initiating a handover procedure ... based on the detected region information." Therefore, claims 1, 8 and 15 are not anticipated by Honkala and are patentable.

As to independent claim 49, claim 49 has been amended to more clearly recite the invention. In particular, claim 49 now recites that an access node comprises "a transmitting unit configured to transmit the region information." The "region information" is "first technology network information" and includes "information about at least a first region and a second region"

Honkala fails to teach or suggest at least this feature of the invention as recited in independent claim 49. Nowhere does Honkala disclose an access node setting such information and transmitting such information. The portions of Honkala cited by the Examiner fail to teach or suggest this limitation of amended claim 49. Accordingly, claim 49 is patentable.

Claim 51 depends from allowable claim 49 and is, therefore, patentable for at least that reason, as well as for additional patentable reasons when that claim is considered as a whole.

Claims 25, 32 and 39 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by WO 96/25015 to Hjerm et al. (hereinafter "Hjerm"). Applicant respectfully traverses this rejection for at least the following reasons.

As noted above, in embodiments of the present invention, the responsibility for the handover is entirely with the mobile node. In this regard, claim 25 recites a mobile node comprising "a deciding unit configured to decide initiating a handover procedure" Similarly, claim 32 recites a mobile node comprising "a deciding unit configured to decide preparing a

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handover procedure ...,” and claim 39 recites a mobile node comprising “a first deciding nit configured to decide preparing a handover procedure....”

Hjern fails to teach or suggest at least this feature of the invention as claimed in independent claims 25, 32 and 39. Hjern discloses a system in which the handover is initiated by a fixed component, namely, the Central Fixed Part, or CFP. See Hjern, page 3, lines 30-32. Specifically, Hjern discloses that the “CFP/TWU ...requests of the GSM MSC that a handover between two base station systems be effected.” See Hjern, page 9, lines 9-11. Further, Hjern states that the “CFP/TWU is the unit which ... is responsible for initiating handover.” Hjern, page 9, lines 37-39. Nowhere does Hjern disclose that the mobile unit detects the information and controls the handover. Accordingly, Hjern fails to anticipate claims 25, 32 and 39. Claims 25, 32 and 39 are, therefore, patentable.

Claim 43 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honkala in view of Hjern. Applicant respectfully traverses this rejection for at least the following reasons.

Claim 43 recites a motile node comprising “a deciding unit configured to decide initiating a handover procedure.” As noted above, each of Honkala and Hjern relate to systems or methods in which the handover is initiated by a fixed unit, not by a mobile unit or mobile node. Since neither reference teaches or suggests at least one feature of the invention, as recited in claim 43, the Office Action has not established a *prima facie* case of obviousness. Accordingly, claim 43 is patenatable.

Claim 50 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honkala in view of U.S. Patent No. 6,473,413 to Chiou et al. Claim 50 depends from allowable claim 49 and is, therefore, patentable for at least that reason, as well as for additional patentable features when that claim is considered as a whole.

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Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

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